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OFFICE OF PETITIONS

In re Application of :
David Hung :
Application No. 09/912,499. : ON PETITION
Filed: July 26, 2001 :
Attorney Docket No. 12.018011 :

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed September 11, 2007.

The petition under 37 CFR 1.181 is **GRANTED**.

This application was held abandoned for failure to timely file a reply to the Office letter mailed on June 15, 2006. The Office mailed a Notice of Abandonment on June 8, 2007.

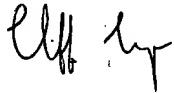
A review of the Office letter mailed on June 15, 2006 reveals that it was an Examiner's Answer, mailed in response to Applicant's Appeal Brief filed on February 15, 2006. Further review of the Examiner's Answer indicates that it did not contain any new ground(s) of rejection. As such, the application should have been forwarded to the Board of Patent Appeals and Interferences for consideration.

In view thereof, **THE HOLDING OF ABANDONMENT IS WITHDRAWN.**

The Notice of Abandonment is **VACATED**.

The matter is being forwarded to the Board of Patent Appeals and Interferences for consideration of the Appeal Brief and Examiner's Answer.

Telephone inquiries regarding this decision should be directed to the undersigned at (571)272-3207.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions